

## **ANIMAL WELFARE**

### **PROGRAM PROFILE**

<b>Goal</b>	To ensure humane care and treatment of all warm-blooded animals covered by the Animal Welfare Act and used for research, exhibition, sold wholesale as pets, or during transportation in commerce.
<b>Enabling Legislation</b>	Animal Welfare (AWA) of 1966, as amended in 1970, 1976, 1985, and 1990.
<b>Economic Significance</b>	Helps to assure quality and value of animals purchased as pets, for exhibition, or for research; and the safety and health of animals in commerce. Helps prevent theft of animals. Helps decrease amount of pain and distress for regulated animals.
<b>Principal Approach And Methods Used to Achieve Goals</b>	Regulatory program that inspects regulated research facilities, dealers, exhibitors, and airports; investigates complaints; and prosecutes violators. Licensed and registered facilities must comply with minimum standards for humane care and treatment.
<b>History</b>	The program began in 1967. In 1970, Congress amended the Laboratory Animal Welfare Act (1966) to include all warm-blooded animals used for purposes specified in original Act. In 1976, Congress amended the Act to regulate carriers, intermediate handlers, and animal fighting ventures. Another amendment in 1985 required USDA to promulgate new regulations and standards for research facilities; to inspect research facilities at least annually; establish an information service at the National Agricultural Library; and increase monetary fines for animal welfare violations. In FY 1988, APHIS published proposed rule and accepted comments on regulations to implement 1985 amendments to the Act. Parts 1 and 2 of that proposed rule became final on August 31, 1989. In 1989 and 1990, APHIS published proposed standards for exercise of dogs and amendment to promote psychological well-being of nonhuman primates. These standards were

published as final in Federal Register on February 15, 1991.

Congress amended the AWA in 1990 to provide injunction authority and further protect pets. On November 28, 1990, Congress passed the Pet Theft Act which requires rulemaking within 180 days. The Agency published the final regulations for this Act in the Federal Register on July 22, 1993. The amendment requires that regulated facilities comply with holding periods. This legislation was passed by Congress to prohibit the use of stolen pets in research and to provide owners the opportunity to locate their animals. The final rule became effective August 23, 1993.

Veterinary Services unit administered the AW program in APHIS from its inception until October 1, 1989, at which time the program was placed under the newly created Regulatory Enforcement and Animal Care unit as part of Agency reorganization. Animal Care was made a separate unit at beginning of FY 1997 when Regulatory Enforcement became part of Management and Budget.

#### **State and Local Cooperation**

No matching funding; most States have laws pertaining to the welfare of animals.

#### **Involvement of Other Agencies**

ARS, Department of Justice (criminal proceedings), FAA, Department of Transportation (enforcement of transportation provisions of the Act), NIH, FDA, National Marine Fisheries Service, and U.S. Fish and Wildlife Service (animals used in research and exhibition).

## RESOURCE DATA

-----Obligations-----

	<u>Direct</u>	<u>Reimbursement</u>	<u>User Fees</u>	<u>Staff-Years</u>
FY 1995	9,225,033	--	--	171
FY 1996	9,353,001	--	--	170
FY 1997	9,320,817	--	--	133
FY 1998	9,454,996	--	--	127
FY 1999 (est.)	9,175,000	--	--	123
FY 2000 (est.)	9,690,000	--	--	127

	<u>APHIS</u>	<u>Coop</u>	<u>Total</u>	<u>CCC</u>	<u>Contingency Fund</u>
Cum.	\$147,832,594	--	\$147,832,594	--	--

## RECENT ACCOMPLISHMENTS

### Inspections

APHIS continues to focus on the quality of Animal Welfare Act (AWA) inspections while simultaneously implementing a risk assessment process to shift inspection resources to facilities where animal welfare concerns are the greatest. The program has better equipped its field personnel with the necessary tools needed to perform their jobs. APHIS has provided all field personnel with laptop computers and has introduced a new computer-generated, easy to understand inspection report. In FY 1999, APHIS will begin using a newly developed software program that will allow field inspectors to have direct access to the database and transmit inspection results instantly. In addition, APHIS has also increased training of inspectors with two new courses, one concentrating on elephants and the other on Class A dealers.

### Public Meeting Held at USDA

In May 1998, APHIS held a public meeting at the USDA Center at Riverside headquarters building in Riverdale, Maryland. This meeting was attended by approximately 250 members of the general public, industry, and animal welfare groups. The purpose of

the meeting was to discuss current AWA issues and initiatives that affect researchers, transporters, exhibitors, and dealers. Since APHIS had initiated many changes over the last 2 years related to animal welfare enforcement, this meeting was structured to share information. APHIS gave updates on current and pending issues and the other groups gave updates on their activities and issues. While the primary purpose of the meeting was to share information, APHIS has shifted some areas of program emphasis as a result. For example, APHIS has directed attention toward the inspection of shipments of nonhuman primates being imported into the U.S. due to concern expressed at the meeting regarding their treatment while in transit.

### **Advance Notice Published**

APHIS published an advance notice of proposed rulemaking on the regulation of dog and cat dealers. This notice announced USDA's formal consideration of amending the AWA definition of "retail pet store" and requiring that breeders of hunting, security, and breeding dogs be licensed. Both of these changes were contained in the Doris Day Animal League Petition that APHIS published as a notice in the Federal Register last year. USDA is considering increasing the number of breeding female dogs and cats that may be owned without obtaining a license, but regulating both at the wholesale and retail levels. The advance notice also requests input on the impact these rule changes would have on currently licensed and unlicensed dealers. Comments were solicited and reviewed approximately 11,000 comments.

### **Innovative Settlements**

In FY 1998, APHIS continued to issue formal complaints for violations of the AWA and increased the number of innovative settlements. These agreements have enabled licensees and registrants who show interest in improving the conditions for their animals to invest all or a part of their monetary sanctions in facility and personnel enhancements, as well as research to improve the well being of animals. For example, APHIS settled a case against a research facility charged with violations pertaining to the handling of animals and protocol review procedures for \$50,000. Of that amount, \$20,000 must be donated to an APHIS

approved nonprofit organization for the study of alternatives to animal testing; \$20,000 must be spent on improving housing facilities; and \$10,000 was paid to the Treasurer of the United States. The lab must also contract with an outside consultant to review its animal care program. Another settlement involved an airline charged with several cases of animal deaths and illnesses aboard various flights around the country. The airline agreed to donate \$25,000 to an APHIS-approved organization to study methods to promote the safe and humane handling of animals during transportation. The results of this study will be disseminated to all carriers registered under the AWA.